

**REMARKS**

In the Final Office Action, the Examiner rejected claims 52-68. By the present Response, Applicants have amended claims 52-57, 59 and 64-68, added new claims 69-82 and cancelled claim 63 without prejudice. With regard to new claims 69-82, Applicants respectfully assert that no new matter has been added. Upon entry of the amendments, claims 52-62 and 64-82 will be pending in the present patent application. In light of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

**Rejection Under 35 U.S.C. § 102**

In the Final Office Action, the Examiner rejected claims 52-54, 56-60, 62-66 and 68 under 35 U.S.C. § 102(b) as anticipated by the Good et al. reference (U.S. Patent No. 5,571,256). Applicants, however, respectfully assert that the pending claims are not anticipated by the Good et al. reference, because the pending claims recite features not disclosed by the Good et al. reference.

A *prima facie* case of anticipation under Section 102 requires a showing that each limitation of a claim is found in a single reference, practice or device. *See In re Donohue*, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, “[t]he identical invention must be shown *in as complete detail* as is contained in the...claim.” *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) (Emphasis added). Therefore, if a claim recites even one feature not found in the cited reference, the cited reference cannot be said to anticipate the claimed subject matter.

However, prior to addressing the specifics of the pending claims, Applicants respectfully assert that a brief synopsis of the specification will aid in demonstrating the

patentable features recited in the pending claims. An exemplary embodiment of the present application provides a rack for mounting computer system, the rack including members 14 within a storage cabinet 16. *See Application Serial No.: 09/127,571, p.6, ll. 15-20; FIG 1.* To facilitate access to components disposed in the cabinet 16, the exemplary cabinet includes a front access opening 20 and a rear access opening 22. *See id. at p. 7, ll. 1-5.* Additionally, these access openings are at least partially deferred by the vertical rack members 14. *See id.* Advantageously, the openings 20 and 22 facilitate insertion and removal of a computer component 12 from the cabinet 16. *See id.* (illustrating the insertion and removal directions as arrow 30).

An additional discussed embodiment in the present application provides support rails 44 and 46 that are each secured to a pair of vertical rack members 14. *See id. at FIG. 9.* Each exemplary support rail 44 or 46 includes a central region 68 that forms first and second mounting regions 70 and 72, which are disposed symmetrically about a longitudinal axis 74 of each rail 46. *See id. at p. 10, ll. 9-11; FIG. 9.* These mounting regions are interposed between and in a recessed position with respect to the rack members 14 to which the support rail 44 or 46 is mounted. *See id. at p. 10, ll.9-ll; FIG. 9.* The support rails 44 and 46 support telescoping rail assemblies 52 and 54, respectively. *See id. at FIG 9.* Advantageously, recessing of the support rails 46 between the rack members 14 to which it is mounted facilitates a maximum width dimension to be employed in the design of the component enclosure. *See id. at p. 16, ll.17-20.* For example, a portion of each telescoping rail assembly 52 and 54 resides between and the rack members 14 to which it is mounted. *See id.* Therefore, the telescoping rail assemblies 52 and 54 of the exemplary embodiment extend into the component enclosure only by a dimension slightly greater than that recess of the mounting portion, as represented by reference numeral 172 in FIG. 9 of the present application. *See id. at p. 16, ll. 20-2; FIG. 9.* More particularly, the support rails 44 and 46 facilitate placement of movable portions of the telescopic rail assemblies between the rack members to which they are respectively mounted. With the foregoing in mind, Applicants demonstrate

below that the Good et al. reference does not disclose all of the features recited by the instant claims.

**Amended Independent Claims 52, 70 and 71 the Claims Depending Therefrom**

Amended independent claims 52, 70 and 71 recite as follows:

Claim 52: A mounting system, comprising:

a pair of rack member; and

a telescoping rail assembly mountable to the pair of rack members such that a longitudinal axis of the telescoping rail assembly is transverse to the first surface of each rack member to which the telescoping rail assembly is mounted and a moveable portion of the telescoping rail assembly is located between a pair of nonadjacent edges of the first surface of each rack member to which the telescoping rail assembly is mounted.

Claim 70: A method for supporting a computer enclosure, the method comprising the act of:

mounting a telescoping rail assembly to a pair of rack members, such that a such that a longitudinal axis of the telescoping rail assembly is transverse to a first surface of each rack member and a moveable portion of the telescoping rail assembly is located between a pair of nonadjacent edges of the first surface of each rack member.

Claim 71: A storage assembly, comprising:

a pair of rack members; and

means for mounting a telescoping rail assembly to the pair of rack members, such that a longitudinal axis of the telescoping rail assembly is transverse to a first surface of each rack member and a moveable portion of the telescoping rail assembly is located between a pair of nonadjacent edges of the first surface of each rack member.

(Emphasis added.) Applicants respectfully assert that the Good et al. reference does not disclose all of these recited features.

For example, the Good et al. reference does not disclose a telescoping rail assembly that is mounted between appropriate rack members as recited in the instant claim. The Good et al. reference discloses a cabinet 12 that “includes a pair of vertically extending front and rear support channels 14a, 16a on the right side of the cabinet, and a pair of vertically extending front and rear support channels 14b, 16b on the left side of the cabinet.” Good et al., col. 4, ll. 34; FIG.1. Keeping the orientation of FIG. 1 in mind, the Good et al. reference teaches that a first slide mount assembly 42a is mounted to vertical support members 14a and 16a, which are on the right side of the cabinet, and a second slide mount assembly 42b is mounted to vertical support members 14a and 14b, which are on the left side of the cabinet. Each slide mount assembly 42a, 42b of the Good et al. device includes a vertical base wall 54 to which a conventional telescoping slide structure 44 is mounted. *See id.* at col. 5, ll.12-24; FIGS. 2 and 3. As demonstrated by FIG. 2 of the Good et al. reference, the base wall 54 of support rail 42a, for instance, is always juxtaposed to the rack members to which it is mounted, i.e., 16a and 14a. That is, support rail 42a is at all times alongside of the support channels (i.e., 14a and 16a) to which it is mounted.

Resultantly, the telescoping slide structure 44, which is mounted to the base wall 54, is also located alongside the support channels 14a and 16a to which it is mounted. *See* Good et al., FIG 1. Thus, as best illustrated by FIG 2. of the Good et al. reference, any movable portion (e.g. intermediate portion 50) cannot be located between appropriately positioned edges of a surface of the rack member to which it is supported. For example, in FIG.2 of the Good reference, the entire telescopic rail assembly 44 and, particularly, the movable portions (e.g., the intermediate portion 50) are located to the left of the support channels 14a and 16a to which it is mounted. Thus, the movable portions

of the telescopic rail assemblies 44 in the Good et al. device are not located between any edges of a surface that is transverse to the longitudinal access of the telescopic slide structure 44. Accordingly, the Good et al. reference does not disclose a movable portion of a telescoping rail assembly that is mountable as recited in the instant claims 52, 56 and 57.

Therefore, Applicants respectfully assert that the Goode et al. reference does not anticipate independent claim 52 and its respective dependant claims 53-56, independent claim 70 and independent claim 71. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 52-56, 70 and 71.

**Amended Independent Claims 57 and 69 and the Claims Depending Therefrom**

Amended independent claims 57 and 69 recite as follows:

Claim 57: A computer rack system, comprising:

    a storage assembly including first and second pairs of rack members, the first pair of rack members located at a first side of the storage assembly, and the second pair of rack members located at a second side of the storage assembly opposite the first side;

    a first support rail mounted to the first pair of rack members;

    a second support rail mounted to the second pair of rack members; and

    a first telescoping rail assembly mounted to the first support rail such that a first *movable portion* of the first telescoping rail assembly is located between the first pair of rack members; and

    a second telescoping rail assembly mounted to the second support rail such that *a movable portion* of the second telescoping rail assembly is located between the second pair of rack members.

Claim 69: A computer rack system, comprising:

    a storage assembly including first and second pairs of rack members, the first pair of rack members located at a first side of the storage assembly, and the second pair of rack members located at a second side of the storage assembly opposite the first side;

    a first support rail mounted to the first pair of rack members;

    a second support rail mounted to the second pair of rack members;

    a first telescoping rail assembly mounted to the first support rail such that a *first movable portion* of the first telescoping rail assembly is located between the first pair of rack members; and

    a second telescoping rail assembly mounted to the second support rail such that a *movable portion* of the second telescoping rail assembly is located between the second pair of rack members; and

    a computer component enclosure coupled to the first and second telescoping rail assemblies such that the computer component enclosure is slidably moveable between a first position inside the storage assembly and a second position extending from the storage assembly.

(Emphasis added.) Applicants respectfully assert that the Good et al. reference does not disclose all of these recited features.

As discussed above the Good et al. reference discloses telescoping slide structures 44 that are each mounted to front and rear support channels 14 and 16. *See* Good et al., col. 5, ll. 2-5; FIG.1. Specifically, and with respect to the orientation of FIG. 1., the Good et al. reference illustrates a left slide structure 44 that is mounted to support channels 14b and 16b and a right slide structure 44 that is mounted to support channels 14a and 16a. *See id.* at FIG.1. As discussed above, slide structure 44 of the Good et al. reference is, at all times, located in a *juxtaposed* relationship with the support channels. *See id.* at FIG.

2. More particularly, all movable portions of the slide structure 44 (e.g., intermediate portion 50) are also located alongside the support channels 14 and 16 to which the slide structure 44 is mounted. *See id.* Because of this *juxtaposed* relationship, the telescoping slide structure 44 of the Good et al. reference intrudes into the area of the cabinet 12 in which the component 26 resides. *See id.* Thus, Applicants respectfully assert that the Good et al. reference fails to disclose telescoping rail assemblies that are located between the rack members to which they are mounted as recited by claims 57 and 69.

Prior to concluding, Applicants respectfully emphasize that the Examiner, during patent examination, must give the pending claims an interpretation that is reasonable and consistent with the specification. See *In re Prater*, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); *see also In re Morris*, 44 U.S.P.Q.2d 1023, 1027-28 (Fed. Cir. 1997); M.P.E.P. §§ 608.01 (o) and 2111. Indeed, “[c]laims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them ‘broadest reasonable interpretation.’” *In re Marosi*, 218 U.S.P.Q. 289 (Fed. Cir. 1983) (emphasis in original). Moreover, this interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *See In re Cortright*, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999); *see also* M.P.E.P. § 2111.

With the foregoing precedent in mind, Applicants respectfully assert that a telescoping support structure 44 of the Good et al. cabinet cannot be considered mounted to support channels located on an opposite side of the cabinet. For instance, and with the orientation of Fig. 1 in mind, the telescoping rail 44 of the Good et al. device that is located on the left side of the assembly is not mounted to the support channels 14a and 16a located on the right side of the assembly. In other words, the telescoping support structure 44 located on left side of the assembly of Good et al. is mounted to support channels 14b and 16b and, as such, independent of support channels 14a and 16a. Indeed, complete removal of support channels 14a and 16a in the Good et al. reference does not

affect the mounting of the telescoping support rail 44 located on the opposite side. With the forgoing in mind, Applicant respectfully assert that the Good et al. reference fails to recite all the features recited in claims 57 and 69 and, as such, does not anticipate the instant claims. Therefore, Applicants respectfully request reconsideration and allowance of claims 57 and 69.

**New Independent Claim 72 and the Claims Depending Therefrom**

Claim 72 recites as follows:

A computer rack system, comprising:

a storage rack having a front frame portion and a rear frame portion being spaced apart from the front frame portion such that a rear surface of the front frame portion faces a front surface of the rear frame portion, the front frame portion having an inner periphery defining a first opening and the rear frame portion having an inner periphery defining a second opening;

a component support comprising: a first rail assembly having a first support member and a first rail slidably coupled to the first support member, the first support member being coupled between the front frame portion and the rear frame portion on a first side of the front and rear frame portions such that the first support member does not extend into the first and second openings;

and a second rail assembly having a second support member and a second rail slidably coupled to the second support member, the second support member being coupled between the front frame portion and the rear frame portion on a second side of the front and rear frame portions generally opposite the first side of the front and rear frame portions such that the second support member does not extend into the first and second openings.

(Emphasis added.) Respectfully, Applicants assert that the Good et al. reference does not disclose all of these recited features.

The Good et al. reference discloses a front left support channel 14b and a front right support channel 14a cooperate to define a front opening through which a server unit

22 is extended forwardly and rearwardly between an open position and a closed position, respectively. *See* Good et al, col. 4 ll. 50-9; FIG.1. To facilitate this transitional placement of the server unit 22 between the open a closed positions, the Good et al. reference discloses telescoping slide structures 44, as discussed above. *See id.* at col. 5, 10-5; FIG. 1. Again, these telescoping slide structures 44 are mounted to slide assemblies 42a and 42b. *See id.* Particularly, and with respect to the orientation to FIG. 1, the left telescoping slide structure is mounted to the left slide mounting assembly 42b and the right telescoping slide structure is mounted to the right slide mount assembly 42a. Resultantly, as best illustrated in FIG. 2. of the Good et al. reference, the slide mount assemblies 42a and 42b intrude into the component enclosure and, as such, into the openings defined by the support channels. That is, the slide mount assemblies 42a and 42b extend into the front opening, which is defined by support channels 14a and 14b, and into the rear opening, which is defined by rack numbers 16a and 16b. *See* Good et al., FIG. 1. Thus, Applicants respectfully assert that the Good et al. reference fails to disclose all of the features recited in claim 72 and, furthermore, discloses a component assembly that is antithetical to the subject matter of that claim.

Therefore, Applicants respectfully assert that the Good et al. reference does not anticipate independent claim 72 and its respective dependant claims. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claim 72 and its dependent claims..

### **Rejections Under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected dependent claim 55 under 35 U.S.C. § 103(a) as being unpatentable over the Good et al. reference in view of the Fall et al. reference (U.S. Patent No. 3,687,505). Additionally, the Examiner rejected dependent claims 61 and 67 under the Section 103(a) as being unpatentable over the Good et al.

reference in view of the Hastings et al. reference. Applicants respectfully assert that the cited references, taken alone or in combination, do not disclose all of the features recited in the instant claims.

In the instant rejections, the Examiner relied on the Good reference as the primary reference. However, as discussed above, the Good reference fails to disclose all of the features recited in the instant claims. Neither the Fall reference nor the Hasting reference obviates the deficiencies of the Good reference, as discussed above. Accordingly, Applicants respectfully assert that dependent claims 55, 61, and 67 are patentable over the cited references not only for their dependencies on allowable base claims, but also for the additional features recited therein. In light of the foregoing remarks, Applicants respectfully request reconsideration and allowance of dependent claims 55, 61, and 67.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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